IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION [LODGING] NO. 2674 OF 2004

Shiv Shankar Plywood Industries Pvt. Ltd. & Ors. ... Petitioners

VERSUS

Union of India & Ors. .... Respondents

Mr. Vikram Nankani with Mr. Pratik Seksaria and Mr. I.J. Nankani instructed by M/s. Nankani & Associates for the Petitioners

Mr. Amjad Sayed with Mr. Advait Sethna for Respondent No. 1

Mr. B.A. D'Lima instructed by M/s. D'Lima & Associates for Respondent No. 3.

CORAM: DALVEER BHANDARI, C.J., & DR.D.Y.CHANDRACHUD, J.

DATE: OCTOBER 18, 2004.

P.C.:-

1. The petitioners are aggrieved by the impugned notices. Hence, the petition.

2. According to the respondents, the total outstanding dues, which the petitioners have to pay, are Rs.6,90,50,467.35 which, despite number of notices and reminders, have not been paid.

3. In the notice (Exhibit 'JJ'), it is mentioned that “In supersession of all earlier communications, we hereby call upon you to immediately pay the outstanding dues aggregating Rs.6,90,50,467.35 (Rupees six crore ninety lakh fifty thousand four hundred and sixty seven and paise thirty five only), inclusive of interest due up to 31.8.2004 along with further interest / penal interest at applicable rate of interest as per documents executed by” the petitioners in respect of credit facilities sanctioned to them.

4. We see no good reason to interfere in our extra-ordinary jurisdiction under Article 226 of the Constitution.

5. As far as other issues involved in the petition are concerned, we are not adjudicating the same at this stage.

6. The petition, being devoid of any merit, is accordingly dismissed.

CHIEF JUSTICE

DR.D.Y.CHANDRACHUD, J.